



1 dismissing for failure to state a claim).

2           Accordingly, IT IS HEREBY ORDERED that this action is dismissed for failure to state  
3 a claim upon which relief can be granted. The Clerk is directed to close this case.

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IT IS SO ORDERED.

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**Dated: December 12, 2011**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE

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